FILE NUMBER: H.F. 2697
Version: As introduced
Authors: Buesgens
Subject: Restructuring metropolitan government; abolishing the metropolitan council
Analyst: Deborah A. Dyson, 651-296-8291

Effective July 1, 2001, this bill abolishes:

the metropolitan council, and transfers metropolitan planning to Minnesota Planning. (article 1)

the metropolitan parks and open space commission and transfers the metropolitan council's role in regional park planning and funding to Minnesota Planning. (article 2)

the metropolitan sports facilities commission and provides for either the city of Minneapolis to take over the metrodome, or, if the city declines, for the amateur sports commission to take it over. (article 5)

the metropolitan radio board and transfers the board's and the metropolitan council's duties relating to the public safety radio system to the commissioner of transportation. (article 9)

The bill transfers the Metropolitan council's transit operations, financing, police, and coordination functions to the department of transportation. It transfers the council's transportation planning functions to Minnesota Planning.

It directs Minnesota Planning, commissioner of transportation, and affected local government units to cooperate in establishing a metropolitan planning organization that will meet federal requirements. (This provision is effective the day after enactment.)

It appropriates an unspecified amount from the general fund to the commissioner of transportation for transit in the metropolitan area (to replace the property taxes currently levied to support transit).
It requires the commissioner of transportation to prepare a proposal for the 2001 Legislature that includes a separate MnDOT Transit Division (MTD), dedicated funding, transferred ownership of fleet buses and routes to MTD, and provision of payment to MTD. (article 3)

The bill recreates the metropolitan waste control commission as the agency that owns and operates the metropolitan disposal system. The commission would adopt an implementation plan subject to Minnesota Planning’s approval for consistency with the regional policy plan. It establishes the commission as a 11-member commission, all appointed by the governor, with eight members appointed from districts based on the metropolitan council’s current districts, two at-large members representing organized labor, and a chair appointed to represent the region as a whole. (article 4)

The bill repeals the metropolitan land planning act and makes local government planning in the metropolitan area permissive, not mandatory. (article 7)

The bill repeals the provisions authorizing the council to act as a housing and redevelopment authority; local governments in the region can establish their own or contract with other existing housing and redevelopment agencies for services under other law. It transfers to the Minnesota housing finance agency, the local housing incentives program, livable communities demonstration program, and inclusionary housing program of the metropolitan livable communities act, and repeals the tax base revitalization account and program (which funds cleanup of contaminated land). It directs the council and the housing finance agency to propose administration of the housing bond credit enhancement program. (article 8)

It also prohibits the metropolitan council or any metropolitan agency from levying property taxes after 2000, payable after 2001, unless authorized by the act. (article 12)

Finally, the bill repeals bonding authority also and generally provides for outstanding debt to be repaid according to the law under which the debt was issued and the debt instruments. (various articles)

**Article 1**

**Metropolitan Council Abolished**

In general, this article abolishes the metropolitan council and repeals the council’s levy authority. Effective July 1, 2001.

Sections 1 to 91 strike references to the metropolitan council to reflect the abolition of the metropolitan council in sections relating to:

1. duties of the state demographer
2. local government expenditures for lobbyists
-636. ethics in government
-878. data practices
9. open appointments
10. registration of multi member agencies with the secretary of state
11. capitol area architectural and planning board
12. salary for the chair of the metropolitan council
13. recycling requirements of public entities
14. intergovernmental information systems advisory council
15. demographic duties of the council with regard to detached banking facilities
definition of political subdivision in auto insurance law

DNR state trail; substitutes Minnesota planning for the metropolitan council is the list of entities
DNR must consult in planning the trail in Chisago, Ramsey, and Washington counties
- bicycle trail program
- watersheds, water resources planning

green star award in statute on environmental regulatory innovations (consult with council)
- solid waste

environmental policy
- critical areas
- Mississippi critical areas
- department of trade and economic development
urban initiative board

office of school desegregation/integration
demographic data of the metropolitan council used by public library boards for levies
demographic data of the metropolitan council used by local health boards
boundaries of multi-county or multi-city community health service areas linked to RDCs
pari-mutuel horse racing
property tax levy authority
property tax levy authority and definition of metropolitan special taxing districts
truth in taxation hearings
definitions of special taxing districts
demographic duties of the metropolitan council related to taxing districts

strikes the metropolitan council, the parks and open space commission, and the metropolitan
sports facilities commission, in the provision defining "state employee" for the Minnesota state
retirement system, and inserts the metropolitan waste control commission.
strikes temporary employees of the metropolitan council and metropolitan parks and open space
commission from the list of positions not included in the definition of state employee
demographic duties of the metropolitan council related to capital investments made by counties
requiring Ramsey county to seek matching contamination clean up funds from other
governmental entities
requiring Hennepin county to seek matching contamination clean up funds from other
governmental entities

911 systems
- Minnesota municipal board

- Minnesota housing finance agency
municipal housing programs
board of government innovation and cooperation
demographic duties of the metropolitan council related to tax increment financing
definition of municipality in section requiring prompt payment of local government bills
federally assisted rental housing impact statement
definition of municipality in statute authorizing privatization of water or wastewater treatment systems
definition of metropolitan area
definition of local government in chapter 473

Policy plan. Redefines policy plans to reflect the transfer of metropolitan area planning from the metropolitan council to the office of strategic and long-range planning (Minnesota planning).

Conforming amendments striking reference to the metropolitan council in sections related to small businesses, providing working capital grants for socially or economically disadvantaged businesses, affirmative action plans.

Development guide. Requires Minnesota planning in place of the metropolitan council to prepare and adopt the metropolitan development guide (currently known as The Regional Blueprint, along with the policy plans and maps, etc.).

Policy plans, requirement. Requires Minnesota planning in place of the metropolitan council to prepare and adopt long-range comprehensive policy plans for transportation, airports, and wastewater treatment. Requires the policy plans to include a statement of the standards, criteria, and procedures that Minnesota planning will use in monitoring and evaluating implementation of the plans and a statement of what matters must be addressed in the implementation plans.

Consultation with agency; predrafting notice. Requires Minnesota planning to consult with the affect metropolitan agency in preparing the policy plan.

Hearing; adoption. Requires Minnesota planning to hold a public hearing on the proposed policy plan.

Effect. Requires Minnesota planning and the metropolitan agency to follow the adopted policy plan.

Amendment. Permits either Minnesota planning or the metropolitan agency to initiate an amendment to the policy plan. Requires a review of the policy plan at least every five years to see if amendments are needed.

Conforming amendment relating to solid waste planning (administered by the office of environmental assistance).

Conforming amendment relating to solid waste planning (administered by the office of environmental assistance).

Conforming amendment relating to recycling goals.

Provides for the county auditors to administer the levying and payment of debt service on the metropolitan council's outstanding solid waste bonds.

Conforming amendment relating to the midtown planning and coordinating board.

Conforming amendment to the demographic duties of the metropolitan council related to local government aids.

Conforming amendment related to the alternative dispute resolution process for boundary
Repealer. Repeals:

the provision for metropolitan council review of metropolitan area watershed management organizations' local water management plans;
the definition of metropolitan council in the waste management act, the board of government innovation and cooperation statute, and the metropolitan government statute;
the requirement for the metropolitan council to develop design standards for 911 service in the metropolitan area;
the section that provides that the regional development act does not apply to the metropolitan council;
the provision in the municipal housing programs' law and single-family mortgage bonding that requires metropolitan area cities to submit their redevelopment plans to the council;
the definition of metropolitan significance and metropolitan significance provisions;
the provisions establishing the council and authorizing it to hire a performance and budget analyst, a general counsel, and the regional administrator;
the provision allowing the council to establish advisory committees;
the powers of the council;
the authority of the council to select areas of council service for service improvement;
the budgeting and financial reporting requirements for the council and its authority to issue short-term debt;
aviation planning provisions enacted for the dual-track planning process;
the council's requirement to do water planning;
the council's authority to require reimbursement from other metropolitan agencies;
the council's authority to review applications for federal funding, metropolitan significance, local planning assistance, public facilities review, data collection, urban research, coordinate emergency services, special studies and reports;
the requirement for publication of meeting schedules; and
the council's levy authority.


Article 2
Parks and Open Space

Article 2 abolishes the metropolitan parks and open space commission and transfers the metropolitan council's role in regional park planning and funding to Minnesota Planning. It provides for outstanding debt to be repaid according to the statutes authorizing the issuance of the debt and the debt instruments, but administered by the metropolitan area county auditors. Effective July 1, 2001.

1 Metropolitan agency. Strikes the metropolitan parks and open space commission from the definition of a metropolitan agency.

2 Regional recreation open space. Replaces the metropolitan council with Minnesota planning as the agency responsible for identifying regional recreation open space in the definition.

3 Regional recreation open space system policy plan. Replaces the metropolitan council with Minnesota planning as the agency responsible for preparing and adopting the policy plan for the
regional recreation open space system.

**Policy plan.** Replaces the metropolitan council with Minnesota planning as the agency responsible for the policy plan in the definition of policy plan.

**Office.** Replaces Minnesota planning for the parks and open space commission in the definitions relating to the regional parks and open space system.

**Master plans.** Replaces Minnesota planning for the metropolitan council in the planning requirements for the regional parks and open space system.

**To metro local governments.** Provides for Minnesota planning in place of the council to make grants to local implementing agencies.

**Special assessments.** Provides for the implementing agency in place of the council to negotiate any special assessment imposed on its regional recreation open space property.

**Tax equivalents.** Strikes the metropolitan council from the provision relating to payment of tax equivalents when an implementing agency acquires title to property.

**Metropolitan area regional parks funding.** Defines the regional recreation open space system to include those properties designated by the metropolitan council before January 1, 2000. Provides for the commissioner of natural resources to make grants to implementing agencies directly, instead of through the metropolitan council. Eliminates the metropolitan council's role in funding the regional system.

**Bonds.** Requires the auditors of the metropolitan counties to administer the debt service and insure payment of bonds issued for the regional park system as provided in repealed sections and according to the terms of the debt instruments.

**Successors; asset allocation.** Makes the implementing agencies the successors to any park or open space owned by the commission or the council, if the council has any.

**Tax equivalents.** Requires an implementing agency to pay the tax equivalents owed on the termination of any life estate.

**Repealer.** Repeals:
- the definition of the metropolitan parks and open space commission;
- the provision establishing the metropolitan parks and open space commission;
- an old provision that allowed the council to make grants for parks and open space immediately, even though the policy plan was not done;
- the authority of the council to issue general obligation bonds for regional parks and open space acquisition and betterment;
- the authority of the council to issue bonds for Como Park Zoo; and
- the authority of the council to acquire park and open space land.

**Effective date.** July 1, 2001.

---

**Article 3**

**Transportation**

Article 3 transfers the metropolitan council's transit operations, financing, police, and coordination functions to the department of transportation. It transfers the council's transportation planning functions to Minnesota Planning, but directs Minnesota Planning, commissioner of transportation, and affected local government units to cooperate in establishing a metropolitan planning organization that will meet federal requirements. (This provision is effective the day after enactment.)

The article appropriates an unspecified amount from the general fund to the commissioner of transportation for transit in the metropolitan area, and eliminates property taxes as a source of public subsidy for transit in the metropolitan area, except for repayment of previously issued
debt. The commissioner of transportation is required to prepare a proposal for the 2001 Legislature that includes a separate MnDOT Transit Division (MTD), dedicated funding, transferred ownership of fleet buses and routes to MTD, and provision of payment to MTD. Effective July 1, 2001.

-29129 Conforming amendments, striking references to the metropolitan council's plans and priorities and inserting references to Minnesota planning's plans and priorities; striking references to the council's duties as the metropolitan area demographer; striking references to vehicles operated, and persons employed, by the metropolitan council and inserting references to vehicles operated, and persons employed, by the department of transportation.

30 **Development guide; transportation.** Directs Minnesota planning in place of the council to develop the nontransit element of the transportation policy plan for the region.

31 **Transportation planning.** Directs Minnesota planning, the commissioner of transportation, and affected local governments to cooperate to replace the metropolitan council abolished by this act and to redesignate a metropolitan planning organization required for federal transportation funding purposes. (This section is effective the day after enactment.)

32 **Performance audit; transit evaluation.** Requires Minnesota planning periodically to evaluate the region’s transportation system in place of the council.

33 **Controlled access; transit fixed-guideway; office approval.** Transfers approval of proposed freeway and light rail transit projects from the metropolitan council to Minnesota planning.

34 **Loans for acquisition.** Transfers to the commissioner of transportation responsibility and authority for the right-of-way acquisition loan fund.

36 **Exclusive lanes; multipassenger transit.** Permits Minnesota planning to require exclusive bus lanes on freeways on which construction has not started as of the effective date of this act.

37 **Federal aid.** Permits the commissioner of transportation to accept federal aid on behalf of others for the metropolitan area.

38 **Definitions.** Adds definitions to the transit portion of chapter 473 to define "commissioner" to mean the commissioner of transportation, and "department" to mean the department of transportation.

44 **Powers and duties.** Transfers transit powers and duties from the metropolitan council to the commissioner of transportation, including authority to: establish advisory committees; administer the ride sharing program in the metropolitan area; provide transit planning, promotion, development, operation, etc. assistance to others in the metropolitan area; provide financial assistance to other public transit providers in the metropolitan area; coordinate transit operations in the region; and establish performance standards for those receiving financial assistance.

45 **Local planning and development.** Requires the commissioner of transportation in place of the council to establish a program to ensure participation by representatives of local governments in transit planning and development.

46 **Contracts.** Requires the commissioner in place of the council to make contracts with other transit providers and to provide them with financial assistance.

48 **Financial assistance.** Permits the commissioner in place of the council to provide financial assistance to private, for-profit transit operators under stated circumstances.

55 **Metro mobility.** Transfers metro mobility operations and responsibilities to the commissioner of transportation.

58 **Other special transit programs.** Requires the commissioner of transportation to administer the job seekers program and a program intended to reduce transit costs for transit dependent.
59 Route planning and scheduling. Permits the commissioner in place of the council to contract with others to do route planning and scheduling.
- Transit zones. Requires the commissioner of transportation in place of the council to designate transit zones within which new businesses may qualify for property tax breaks.
62 Service bidding. Permits the commissioner of transportation in place of the council to competitively bid transit services under guidelines adopted by the commissioner.
- Light rail transit planning. Provides for the commissioner of transportation to adopt a regional light rail transit plan in place of the council and for Minnesota planning to hold hearings on the plan and act as final arbiter of disputes.
- Transit operations. Provides for the commissioner of transportation to operate the regular route transit service in the metropolitan area, and otherwise have the powers and duties of the metropolitan council with regard to transit operations.
79 Light rail transit operation. Requires the department of transportation to operate light rail transit if it is built.
- Transit police. Provides for the metropolitan transit police to be under the department of transportation.
- Fare policies. Provides for the commissioner of transportation to set fares and fare policies. Requires the policies to be consistent with the office of strategic and long-range planning's transportation policy plan. Permits the commissioner to sell regular route passes at discount to employers.
91 Agreements with commissioner; encouragement of transit use. Permits the commissioner to enter into agreements with other governmental agencies and units to provide to employees transit passes, etc.
92 Use of public roadways and appurtenances. Permits the commissioner of transportation to use public roadways for transit and requires the commissioner to negotiate with a city for use of a parkway, the same as the council must under current law.
- Acquisition of other transit systems. Permits the commissioner of transportation, in place of the council, to acquire other transit systems and specifies how personnel and benefits must be handled.
95 Employer contributions for certain employees. Provides for the state in place of the council to make employer contributions for the union representative on leave from the operating division.
96 Transit assets exemption from taxation. Provides for transit operations in the metropolitan area under the commissioner of department of transportation to be tax exempt, as under current law for council transit operations.
97 Act exclusive. Provides that the commissioner's exercise of powers under the statutes are not subject to any other regulation unless provided so in this chapter.
98 Bonds. Provides that outstanding transit debt be paid as provided in the statutes that authorized issuance of that debt according to the debt instruments, and requires the metropolitan area auditors to administer the debt repayment.
99 Transfer provisions. Transfers the council's transit operating, financing, and coordination powers and duties to the commissioner of transportation generally. Requires the commissioner to prepare and submit legislation for 2001 that integrates the department's metropolitan area transit powers and duties with the department's other transportation powers and duties.
100 Appropriation. Appropriates an unspecified amount from the general fund to the commissioner of transportation for the biennium for the purposes of this article.
Repealer. Repeals:
the definition of the metropolitan council in the department of transportation statute;
the levy authority for the right-of-way acquisition loan fund;
funding for opt-out transit services;
providing for the council to issue debt for transit;
transit zones initial map deadline and application clause;
relating to services by the department of transportation to the council;
relating to council borrowing and debt; and
relating to property tax levies for transit operations.

Effective date. July 1, 2001, except for section 31 which is effective the day after final enactment.

Article 4
Metropolitan Waste Control Commission

Article 4 recreates the metropolitan waste control commission as the agency that owns and operates the metropolitan disposal system. The commission would adopt an implementation plan subject to Minnesota planning's approval for consistency with the regional policy plan. The commission is established as an 11-member commission, all appointed by the governor, with eight members appointed from districts based on the metropolitan council's current districts, two at-large members representing organized labor, and a chair appointed to represent the region as a whole. Effective July 1, 2001.

Sections 1 to 11 are conforming amendments.

Metropolitan agency. Adds "metropolitan waste control commission" to the definition of metropolitan agency.

Metropolitan disposal system. Defines metropolitan disposal system to mean the system owned or operated by the metropolitan waste control commission, in place of the metropolitan council.

Water resources plan. Provides for the commission in place of the council to adopt a water resources plan.

Metropolitan waste control commission.
Subd. 1. Creation. Establishes a metropolitan waste control commission as a public corporation and political subdivision of the state under the control of 11 members, who must be residents of the metropolitan area.
Subd. 2. Membership; qualifications. Requires the governor to appoint eight members from districts on a nonpartisan basis. Requires the governor to appoint two members to serve the region at large, and requires that the at-large members represent organized labor. Prohibits a commission member from holding any other elected or appointed office, from being an employee of the commission, or from being an official or employee of an organization that negotiates a collective bargaining agreement with the commission.
Subd. 3. Districts. Establishes eight commission districts, based on pairings of current metropolitan council districts.
Subd. 4. Redistricting. Provides for the legislature to redraw the commission districts after the federal decennial census.
Subd. 5. Terms. Provides for staggered, four-year terms. Four members would be appointed every two years, except after redistricting, in which case all the positions would be up for appointments. The at-large members also serve staggered, four-year terms, with the initial term of one of the at-large members set for only two years in order to provide for staggering of terms.
Subd. 6. Notice. In addition to requirements under the open appointments process for publishing notice of vacancies in the State Register, requires notice of vacancies to be advertised in newspapers of general circulation in the metropolitan area and requires direct written notice to local governments in the affected districts. Requires the notice to invite participation and recommendations.

Subd. 7. Nominating committee. Requires the governor to appoint a seven-member nominating committee to recommend appointments to the commission. (Current law for appointments to the metropolitan council use a similar nominating committee process.) Requires three of the committee members to be local elected officials and at least one to be a representative of a labor organization that has members employed by the commission. Requires public meetings to accept statements by or on behalf of applicants or nominees. Requires two of the nominees to be representatives of labor. Does not require the governor to appoint from the list.

Subd. 8. Consult with legislature; advice and consent. Requires the governor to consult with legislators from the affected districts before making the appointments. (This is similar to the current process for council appointments.) Appointments are subject to confirmation by the senate.

Subd. 9. Chair; other officers; duties. Requires the governor to appoint a chair as the ninth voting member of the commission, subject to senate confirmation. Provides for the chair to serve at the governor's pleasure. Permits the commission to elect other officers as it needs and provides that the secretary and treasurer do not have to be commissioners.

Subd. 10. Removal; vacancies. Provides that the governor may remove a member (other than the chair, who serves at the governor's pleasure) only for cause after notice and a public hearing. References chapter 351 for determining when a seat is vacant. Section 351.02 provides that a seat is vacant in a number of circumstances, such as if the incumbent dies, is removed from office, resigns, etc.

Subd. 11. Compensation. Provides for $55 per diem and expenses as compensation. (This is substantially the same compensation as for the former commission.)

Subd. 12. Operating procedures; regular and special meetings. Requires the commission to adopt bylaws and administrative policies. Requires the commission to meet regularly at least once a month. Provides that special meetings may be called as provided in the bylaws. Provides that, unless the bylaws or other law provide for a supermajority, the commission may act with a majority vote of the members present and qualified to vote, if there is a quorum. States that a majority of the commission is a quorum.

Subd. 13. Chief administrator. Requires the chair, with approval of the commission, to appoint a chief administrator. Specifies the duties of the chief administrator.

Subd. 14. Personnel policy. Directs the commission to adopt a personnel policy covering the terms and conditions of employment for employees of the commission, including a compensation and classification plan. Requires the personnel policy to be consistent with the terms of the applicable collective bargaining agreements. (This is substantially similar to the provision in current law covering all metropolitan council employees, except for the requirement that the policy be consistent with the terms of the collective bargaining agreement - which can be assumed usually.)

Waste water services, powers.

Subd. 1a. General powers. Provides the commission with the powers necessary or convenient to perform its duties. States that the commission's powers include those specified in this section.

Subd. 1b. Advisory committees. Permits the commission to establish advisory committees.
Provides that advisory committee members serve without compensation, but may receive reimbursement for expenses.

**Subd. 1c. Consulting contracts.** Permits the commission to contract for professional services (engineering, legal). Provides that professional services contracts are not subject to public bidding requirements.

**Subd. 2a. Employee health and wellness.** Permits the commission to provide employee health and wellness services, including necessary staff, funds, equipment, and facilities.

**Subd. 4. Rules, penalties.** Transfers authority to adopt rules relating to the metropolitan disposal system from the metropolitan council to the commission.

**Subd. 5. Gifts, grants, loans.** Transfers authority from the metropolitan council to the commission to obtain gifts, grants, and loans relating to the metropolitan disposal system.

**Subd. 6. Joint or cooperative action.** Transfers authority from the metropolitan council to the commission to enter into joint powers agreements.

**Subd. 9. May get property.** Transfers authority from the metropolitan council to the commission to acquire real or personal property determined to be necessary or convenient for the collection and disposal of sewage in the metropolitan area.

**Subd. 10. No franchise required.** Transfers authority from the metropolitan council to the commission to construct and maintain metropolitan disposal system facilities on or near public rights of way without obtaining a franchise from a local government.

**Subd. 11. Surplus property.** Transfers authority from the metropolitan council to the commission to dispose of real or personal property no longer needed for the metropolitan disposal system.

**Subd. 12. Pacts with other governments.** Transfers authority from the metropolitan council to the commission to contract with other governmental entities for the joint use of any facility owned by either party.

**Subd. 13. Suit.** Permits the commission to sue and be sued. (The former metropolitan waste control commission had this explicit authority.)

**Subd. 14. Research; hearings; investigation; advice.** Permits the commission to conduct research, hearings, and investigations in connection with the design, construction and operation of the metropolitan disposal system. (The former metropolitan waste control commission had this explicit authority.)

**17 Limits on privatization.** Prohibits the commission from contracting for the operation and maintenance of the metropolitan disposal system unless the commission does not have and cannot hire employees to perform the work needed.

**18 Implementation plan.** This section is substantially the same as the provision for implementation plans under section 473.161 (repealed in 1994), that applied to the former waste control commission.

**Subd. 1. Requirement; purpose.** Requires the commission to adopt an implementation plan that effectuates Minnesota planning’s long-term policy plan. (See article 1, section 103)

**Subd. 2. Content.** Lists the required elements of the implementation plan.

**Subd. 3. Services and systems management.** Describes the required services and systems management component of the plan.

**Subd. 4. Capital investment.** Describes the required capital investment component of the plan.

**Subd. 5. Procedure; review and approval by Minnesota planning.** Requires Minnesota planning to approve the commission's implementation plan. Describes the procedures for approval.
Subd. 6. Amendment. Requires the commission to review, amend as necessary, and submit to Minnesota planning for approval the implementation plan. Requires this review at least every two years.

Subd. 7. Adoption; effect. Requires the commission to adopt the approved plan and to act in conformance with the plan.

Commission budget preparation; review and approval. This section is substantially the same as the provision for budget preparation, review and approval under section 473.163 (repealed in 1994), that applied to the former waste control commission.

Subd. 1. Requirement. Requires the commission to prepare a budget by August 1 of each year that is consistent with and effectuates the implementation plan. Requires the budget to show operating, capital and pass-through funds.

Subd. 2. Procedure; approval of office. Describes the procedures the commission must follow for public review and comment. Provides for Minnesota planning to review and approve the parts of the budget relating to capital improvements.

Subd. 3. Effect. Prohibits the commission from spending money without an appropriation by the commission, except in an emergency and except for payment of certain debt obligations and expenditures of federal funds.

Total watershed management. Transfers authority from the metropolitan council to the commission to enter into agreements with other governmental bodies and to spend money to implement total watershed management.

Sewer service function. Transfers authority from the metropolitan council to the commission to acquire existing and new facilities for the metropolitan disposal system. (This section dates back in large part to the formation of the original sewer board and the acquisition of municipal systems to form a regional system.)

Qualification, conditions (election of pension program). Preserves the election of pension program by employees of the council who would be transferred to the commission.

Municipal plans and programs. Transfers authority from the metropolitan council to the commission to review and approve municipal sewer plans to insure compatibility with the regional system and policies.

Sewage collection and disposal; powers. Transfers authority from the metropolitan council to the commission to discharge treated sewage into waters of the state as permitted by the Minnesota pollution control agency, and to require or prohibit connections to the regional system.

Remedies available. Replaces reference to the metropolitan council with a reference to the commission in the section defining violation of a standard or rule for discharging into the metropolitan disposal system.

Civil penalties. Replaces reference to the metropolitan council with a reference to the commission in the section providing for imposition of civil penalties for violation of a standard or rule for discharging into the metropolitan disposal system.

Waste facilities; sewage sludge disposal. Transfers authority from the metropolitan council to the commission to acquire and operate sewage waste facilities. Strikes authority to contract for the operation and maintenance of the facilities (with the exception of sludge ash use).

Allocation method. Transfers authority from the metropolitan council to the commission to determine the costs of operation, maintenance, and debt service of the metropolitan disposal system to be allocated to and paid by metropolitan area local governments.

Allocation of treatment, interceptor costs; reserved capacity. Transfers authority from the
metropolitan council to the commission to determine the costs of acquisition, betterment, and debt service of the reserved capacity in the metropolitan disposal system for allocation to and payment by local governments.

**Deferment of payments.** Transfers authority from the metropolitan council to the commission to allow a local government to defer payment of allocated costs.

**Federal water pollution control act amendments of 1972; system of charges.** Changes the reference from the council to the commission in the section requiring each local government to adopt a system of charges for the use and availability of the metropolitan disposal system that ensures that each recipient of services pays the recipient's proportionate share.

**Payments to commission.** Changes the reference from the council to the commission in the section governing payment of metropolitan disposal system charges by local governments to the commission.

**Contracts for construction materials, supplies, and equipment.** Changes the reference from the council to the commission in the section requiring contracts for construction, supplies or equipment, to be made as provided in the uniform municipal contracting law.

**Debt obligations.** Changes the reference from the council to the commission in the section providing for issuance of debt.

**Depositories.** Provides for the commission in place of the council to designate a depository institution for its money.

**Moneys, accounts and investments.** Changes the reference from the council to the commission in the section requiring deposit of user charges received. Provides for the commission to pay debt obligations. Subdivision 5 requires the state auditor to audit the commission's books each year.

**Property exempt from taxation.** Changes the reference from the council to the commission in the section providing for commission property to be exempt from state or local property taxes (but not exempt from special assessments).

**Tax levies.** Provides for the county treasurer to pay taxes to the commission in place of the council.

**Relation to existing laws.** Adds reference to the commission in the section providing that the waste control statutes in chapter 473 do not impinge on the pollution control agency's powers.

**Transfer.** Transfers the powers, duties, assets, and liabilities of the metropolitan council relating to the metropolitan disposal system to the metropolitan waste control commission established in this article. Also provides for the transfer of personnel.

**Repealer.** Repeals the provision allowing the council to establish advisory committees for advice relating to the metropolitan disposal system and the allocation of costs (this is included in the commission's powers in this article). Repeals the provision requiring the metropolitan council to prepare a capital improvement program and budget for the metropolitan disposal system.

**Application.** Seven-county metropolitan area.

**Effective date.** July 1, 2001

---

**Article 5**

**Metropolitan Sports Facilities Commission**

Article 5 abolishes the metropolitan sports facilities commission and provides for either the city of Minneapolis to take over the metrodome, or, if the city declines, for the amateur sports commission to take it over. It provides for bonds issued to be repaid according to the statutes authorizing their issuance and the terms of the debt instruments. Effective July 1, 2001, except
for the provision setting the time for Minneapolis to decide if it will be the successor, which is effective August 1, 2000.

Conforming amendment.

**Not public classification.** Changes a reference in the data practices act from the metropolitan sports facilities commission to professional sports facilities.

**Appropriation.** Strikes reference to the metropolitan sports facilities commission in the section appropriating $750,000 annually to the Minnesota amateur sports commission for use of the Target Center.

**Cities.** Refers to the successor to the metropolitan sports facilities commission in the section governing liquor licensing.

Conforming amendment.

**Metropolitan agency.** Strikes the metropolitan sports facilities commission from the definition of a metropolitan agency.

**Metrodome.** Strikes the financing under chapter 473 and the metropolitan sports facilities commission from the definition of the metrodome.

**Exemption of property.** Provides for real and personal property of the successor to commission to be tax exempt as it is for the commission.

**Facility operation.** Permits the successor to the commission to equip, improve, operate, manage, maintain, and control the metrodome.

**Disposition of property.** Permits the successor to the commission to dispose of property.

**Agreements with university.** Permits the successor to the commission to enter into agreements with the university.

**Use agreements.** Permits the successor to the commission to enter into use agreements.

**Small business contracts.** Requires the successor to the commission to designate and set aside for small businesses 10 percent of the value of anticipated contracts.

**Bonds and certificates.** Requires debt issued before the effective date of this article to be paid for and retired as provided under the authorizing statutes and the terms of the debt. Directs the metropolitan county auditors to administer this section.

**Successor.** Makes the city of Minneapolis the successor to the commission, and if Minneapolis declines by July 1, 2000, the amateur sports commission.

**Repealer.** Repeals the sections providing for the commission, issuing debt for sports facilities.

**Effective date.** July 1, 2001, except section 16, which is effective August 1, 2000 (the default date).

---

**Article 6**

**Metropolitan Airports Commission Conforming Amendments**

**Definitions.** Strikes the council and inserts the office of strategic and long-range planning as the agency that adopts the aviation plan.

**Ordinance.** Strikes the council and inserts the office of strategic and long-range planning in the provision requiring a municipality's ordinance for noise control to be adequate to implement the office's guidelines for land use compatibility with aircraft noise.

**Office of strategic and long-range planning.** Defines the term in the metropolitan airports commission's statutes.

**Declaration of purpose.** Requires the airports commission to cooperate with and assist the office, in place of the council.
Composition. Amends the reference to the districts from which airports commissioners are appointed to refer to the metropolitan waste control commission districts.

Conforming amendments to reflect the transfer of planning from the metropolitan council to the office of strategic and long-range planning and strike obsolete references.

Repealer. Repeals provisions relating to the dual-track airport planning process.

Effective date. July 1, 2001

Article 7
Metropolitan Land Use Planning Repealed

Repealer. Repeals mandatory land use planning in the seven-county metropolitan area (land use planning is still permitted under chapters 394 and 462).

Effective date. July 1, 2001

Article 8
Housing and Livable Communities

Article 8 repeals the provisions authorizing the council to act as a housing and redevelopment authority; local governments in the region can establish their own or contract with other existing housing and redevelopment agencies for services under other law. It transfers to the Minnesota housing finance agency, the local housing incentives program, livable communities demonstration program, and the inclusionary housing program of the metropolitan livable communities act. It repeals the tax base revitalization account and program (which funds cleanup of contaminated land). It directs the council and the housing finance agency to propose administration of the housing bond credit enhancement program. Finally, it provides for the metropolitan county auditors to levy and collect the regional property taxes that fund the metropolitan livable communities accounts. Effective July 1, 2001.

Livable communities criteria and guidelines. Provides for the Minnesota housing finance agency in place of the metropolitan council to administer the metropolitan livable communities fund.

Metropolitan livable communities fund. Strikes the tax base revitalization account from the fund.

Livable communities demonstration account. Provides for the Minnesota housing finance agency in place of the metropolitan council to administer the livable communities demonstration account.

Local housing incentives account. Provides for the Minnesota housing finance agency in place of the metropolitan council to administer and report on the local housing incentives account and to negotiate the housing goals with municipalities.

Inclusionary housing account. Provides for the Minnesota housing finance agency in place of the metropolitan council to administer this account (created by the 1999 Legislature).

Housing bond credit enhancement program administration. Directs the housing finance agency and the metropolitan council to prepare legislation for the 2001 session to provide for administration of the housing bond credit enhancement program.

Transfer to Minnesota housing finance agency. Transfers from the council to the agency the assets, appropriations, and other financial or other records relating to the metropolitan livable communities fund.

Repealer. Repeals authority for the metropolitan housing and redevelopment agency, and the housing bond credit enhancement program.

Effective date. July 1, 2001, except for section 6, requiring legislation for 2001. Section 6 is effective the day following final enactment.
Article 9
Metropolitan Area Public Safety Radio

Article 9 abolishes the metropolitan radio board and transfers the board's and the metropolitan council's duties relating to the public safety radio system to the commissioner of transportation. It provides for outstanding regional debt to be repaid according to the law under which the debt was issued and the debt instruments, and for the metropolitan county auditors to administer repayment of the debt. Finally, it repeals the bonding and taxing authority of the council for the radio system. Effective July 1, 2001.

-36136 Gives the commissioner of transportation powers relating to the metropolitan public safety radio system. Strikes obsolete language and adds language to reflect the transfer of duties from the board to the commissioner of transportation.

37 Transfers the powers, duties, assets, liabilities and personnel of the metropolitan council and the metropolitan radio board with respect to the metropolitan public safety radio system to the commissioner of transportation.

38 Bonds. Provides for bonds and other outstanding debt related to the radio system to be paid and retired according to the law authorizing the debt and the terms of the bonds. Directs the auditors of the metropolitan counties to administer this section.

39 Repealer. Repeals:
- the section establishing the radio board;
- the provision permitting the board to hire an executive director;
- the requirement for the board to keep minutes;
- the requirement for the board to keep proper books;
- the provision permitting the board to get insurance;
- the provision governing adverse interests of board members, compensation of board members;
- the requirement of the council to report to the legislature biennially on the board's activities and finances;
- the provision permitting the council to issue revenue bonds for the radio system;
- the requirement for the council to establish a depository institution for money of the board;
- the requirement for the council to deposit all money; and
- the provision permitting the council to issue general obligation bonds for the system.

40 Effective date. July 1, 2001

Article 10
Fiscal Disparities

1 Population. Provides for the state demographer in place of the metropolitan council to make the population estimates.

2 Municipality. Provides for Minnesota planning in place of the metropolitan council to make the annual determination as to whether a municipality should be excluded from the area.

3 Areawide tax rate. Strikes the cross reference to the subdivision funding the tax base revitalization account.

4 Certification of values; payment. Strikes the cross reference to the subdivision funding the tax base revitalization account.

5 Change in status of municipality. Provides for the state demographer in place of the metropolitan council to make the population estimates.

6 Repealer. Repeals the definition of the metropolitan council and the subdivision that funds the tax base revitalization account.
Effective date. For taxes levied in 2000 and payable in 2001 and after.

Article 11
Agricultural Preserves

Maps to Minnesota planning. Directs local governments to send maps showing metropolitan agricultural preserve lands to Minnesota planning in place of the metropolitan council.

Application. Directs applications for enrollment in the program to go to Minnesota planning in place of the council.

Maps; reports. Requires Minnesota planning in place of the council to maintain agricultural preserve maps and make yearly reports to the commissioner of agriculture.

Notice to others. Requires a local government to forward notice to Minnesota planning in place of the council of intention to terminate enrollment in the program.

Effective date. July 1, 2001

Article 12
Property Tax Prohibition

Prohibits the metropolitan council or any agency from levying property taxes after levy year 2000, unless the act expressly authorizes it.

Article 13
Conforming Amendments

Directs the revisor of statutes to prepare for the 2001 Legislature conforming statutory amendments necessitated by this act.

Article 14
Application

Provides for the act to apply in the seven-county metropolitan area unless the context indicates otherwise.